

**LAKELAND CITY COMMISSION**  
**Regular Session**  
**May 21, 2007**

The Lakeland City Commission met in Regular Session in the Commission chambers on Monday, May 21, 2007. Commissioners Glenn Higgins, Dean Boring, Jim Verplanck, Howard Wiggs, Gow Fields, Edie Yates and Mayor Fletcher were present. City Manager Doug Thomas, City Attorney Tim McCausland, Finance Director Greg Finch, and Deputy City Clerk Deborah Cason were present.

**CALL TO ORDER**

Mayor Fletcher called the meeting to order at 9:03 a.m.

**INVOCATION**

Captain Edward Lee, of the Salvation Army, offered the invocation followed by the salute to the flag.

**PRESENTATIONS**

**Kaleidoscope Check Presentation for Common Ground Park**

Donna Hendricks presented check to COL for Common Ground. Parks & Rec Director Bill Tinsley offered comments and Mayor Fletcher accepted this check on behalf of the city.

**Public Works-North Lakeland Regional Stormwater Master Plan**

Public Works Director Rick Lilyquist introduced Robert Chen who made this presentation.

**PROCLAMATIONS**

**National Public Works Week**

Assistant Public Works Director Greg James presented a short video highlighting Public Works Week.

Mayor Fletcher presented the proclamation to Public Works. Greg James introduced Administrative Assistant Gail Cherryhomes, and the Public Works Division heads, who accepted this proclamation.

## **APPROVAL OF MINUTES (with any amendments)**

- \* **City Commission 05/04/07 – 05/07/07**
- \* **Utility Committee 05/07/07**

### **Municipal Boards and Committees 05/21/07**

The Lakeland Municipal Boards Committee met in the Commission conference room. Commissioners Glenn Higgins, Jim Verplanck (members) and Commissioner Dean Boring (chair) were present. Commissioners Edie Yates, Gow Fields, Howard Wiggs, and Mayor Fletcher were present along with administrative staff.

Commissioner Boring (chair) called the meeting to order at 8:38 a.m.

#### **Public Employee Relations Commission:**

Judge Ernie Jones was elected to the circuit court bench in December making him no longer eligible to serve on the board. Mitch Franks, who serves as counsel to the board, suggested replacing him with Lee Smith. If appointed, Mr. Smith would fill the remainder of Judge Jones' term, which expires December 31, 2008.

**Recommendation:** Commissioner Verplanck moved to recommend the Commission appoint Lee Smith. Commissioner Higgins seconded. Commissioner Boring concurred and the motion carried unanimously.

The meeting adjourned at 8:39 a.m.

Commissioner Boring presented these minutes to the Commission.

**Action:** Commissioner Boring moved to approve the minutes and the motion carried unanimously.

## **APPROVAL OF CONSENT AGENDA**

- \* City Commission Minutes 05/04/07 – 05/07/07
- \* Utility Committee 05/21/07
- \* Renewal of Lakeland Police Department Helicopter Aircraft Insurance
- \* Memo: Continuing Contract Agreements for Environmental Consulting Firms for Risk Management
- \* Memo re: Continuing Contracts for General Architectural Services – Public Works

- \* Memo re: Advertising Agreement with Coca-Cola Enterprises, Inc. – The Lakeland Center
- \* Memo re: Waiver of 5:01 p.m. Hearing
- \* Appropriations – Information Technologies and Lakeland Linder Regional Airport Funds

**Action:** Commissioner Wiggs moved to approve the Consent Agenda. Commissioner Verplanck seconded and the motion carried unanimously.

## PUBLIC HEARINGS

### Ordinances (Second Reading)

**Ordinance 4847; Proposed 07-028; Amending Ordinance 4592; Updating Sign Regulations for Special Public Interest Zoning District for the Dixieland Community Redevelopment Area (1<sup>st</sup> Rdg 4/16/07, Contd 5/5/07)**

AN ORDINANCE RELATING TO ZONING; AMENDING ORDINANCE 4592; UPDATING SIGN REGULATIONS FOR SPECIAL PUBLIC INTEREST ZONING DISTRICT WITHIN THE DIXIELAND COMMUNITY REDEVELOPMENT AREA LOCATED SOUTH OF EAST WALNUT STREET AND NORTH OF LENOX STREET; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote, Commissioners Yates, Fields, Wiggs, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

**Ordinance 4848; Proposed 07-029; Conditional Use to Provide Zoning Conformity for an Existing 13,000 sq ft Classroom Building and Existing Park Lot and Construction of an Additional 21,000 sq ft Classroom Building Located at 1360 East Main Street (1<sup>st</sup> Rdg 5/7/07)**

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE TO PROVIDE ZONING CONFORMITY FOR AN EXISTING 13,000 SQUARE FOOT CLASSROOM BUILDING AND EXISTING PARKING LOT AS WELL AS CONSTRUCTION

OF AN ADDITIONAL 21,000 SQUARE FOOT CLASSROOM BUILDING ON PROPERTY LOCATED AT 1360 EAST MAIN STREET; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Boring, Verplanck, Wiggs, Fields, Yates and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

**Ordinance 4849; Proposed 07-030; Conditional Use for a Detached Garage Apartment on 0.17 Acres Located at the Southeast Corner of Cumberland Street and Winfree Avenue (921 Cumberland Street) (1<sup>st</sup> Rdg 5/7/07)**

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A DETACHED GARAGE APARTMENT ON 0.17 ACRES LOCATED AT THE SOUTHEAST CORNER OF CUMBERLAND STREET AND WINFREE AVENUE (921 CUMBERLAND STREET); PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote, Commissioners Yates, Fields, Wiggs, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

**Ordinance 4850; Proposed 07-031; Change in Zoning on 27.4 Acres Located North of Belmar Street, South of Greenwood Street, East of Central Avenue, and West of Sikes Boulevard (1015 Sikes Boulevard) (1<sup>st</sup> Rdg 5/7/07)**

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING OF 27.4 ACRES WITHIN THE CITY OF LAKELAND LOCATED NORTH OF BELMAR STREET, SOUTH OF GREENWOOD STREET, EAST OF CENTRAL AVENUE, AND WEST OF SIKES BOULEVARD (1015 SIKES BOULEVARD), PURSUANT TO THE "ZONING CODE OF THE CITY OF LAKELAND, 1993"; MAKING FINDINGS; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Boring, Verplanck, Wiggs, Fields, Yates and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

**Ordinance 4851: Proposed 07-032; Modification of PUD Zoning for a Grocery Store Located South of Forest Lake Drive, East of North Road 98, West of Corporate Avenue, and North of Carpenters Way (1<sup>st</sup> Rdg 5/7/07)**

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR A MODIFICATION OF PUD ZONING ON PROPERTY LOCATED SOUTH OF FOREST LAKE DRIVE, EAST OF NORTH ROAD 98, WEST OF CORPORATE AVENUE, AND NORTH OF CARPENTERS WAY (4745 NORTH ROAD 98); AMENDING ORDINANCE 4773; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Boring, Verplanck, Wiggs, Fields, Yates and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

**Ordinance 4852; Proposed 07-033; Amending Ordinance 4781, Adding Conditions of PUD Zoning for Property Located West of US 98 North, East of Providence Road, and North of Interstate 4 (1<sup>st</sup> Rdg 5/7/07)**

AN ORDINANCE RELATING TO ZONING; AMENDING ORDINANCE 4781 ALL PROVISIONS OF WHICH ARE HEREBY RESTATED; PROVIDING CONDITIONS RELATED TO EXISTING PUD ZONING CLASSIFICATION FOR PROPERTY LOCATED WEST OF US 98 NORTH, EAST OF PROVIDENCE ROAD, AND NORTH OF INTERSTATE 4; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote, Commissioners Yates, Fields, Wiggs, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

**Ordinance 4853; Proposed 07-034; Annexation of 7.78 Acres Located North of State Road 33, East of Lake Luther Road (1<sup>st</sup> Rdg 5/7/07)**

AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKELAND, FLORIDA, THAT CERTAIN 13.78 ACRES LOCATED NORTH OF STATE ROAD 33, EAST OF LAKE LUTHER ROAD; FINDING COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Boring, Verplanck, Wiggs, Fields, Yates and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

**Ordinance 4854; Proposed 07-035; Small Scale Amendment #SS-06-021 to Future Land Use Map Assigning Use on 7.78 Acres Located North of State Road 33, East of Lake Luther Road (1<sup>st</sup> Rdg 5/7/07)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A SMALL SCALE AMENDMENT #SS-06-021 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP FOR 7.78 ACRES LOCATED NORTH OF STATE ROAD 33, EAST OF LAKE LUTHER ROAD, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN: 2000-2010; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote, Commissioners Fields, Wiggs, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: six. Nays: zero. Commissioner Yates was absent. The motion carried unanimously.

**Ordinance 4855; Proposed 07-036; Establishing PUD Zoning on 7.78 Acres Located North of State Road 33, East of Lake Luther Road (1<sup>st</sup> Rdg 5/7/07)**

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR PUD ZONING ON 7.78 ACRES LOCATED NORTH OF STATE ROAD 33, EAST OF LAKE LUTHER ROAD; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote, Commissioners Fields, Wiggs, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: six. Nays: zero. Commissioner Yates was absent. The motion carried unanimously.

**Ordinance 4856; Proposed 07-037; Vacation of a Portion of Public Right - of-Way Located South of East Lime Street, North of East Walnut Street, West of South Lake Avenue and East of South Indiana Avenue (1<sup>st</sup> Rdg 5/7/07)**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF A PUBLIC RIGHT-OF-WAY LOCATED SOUTH OF EAST LIME STREET, NORTH OF EAST WALNUT STREET, WEST OF SOUTH LAKE AVENUE AND EAST OF SOUTH INDIANA AVENUE, WITHIN THE CITY OF LAKELAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Boring, Verplanck, Wiggs, Fields, and Mayor Fletcher voted aye. Ayes: six. Nays: zero. Commissioner Yates was absent. The motion carried unanimously.

**Ordinance 4857; Proposed 07-038; Vacation of a Portion of Public Right - of-Way Located East of Omohundro Avenue, West of North Webster Avenue, and North of Memorial Boulevard (1<sup>st</sup> Rdg 5/7/07)**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF A PUBLIC RIGHT-OF-WAY LOCATED EAST OF OMOHUNDRO AVENUE, WEST OF NORTH WEBSTER AVENUE AND NORTH OF MEMORIAL BOULEVARD, WITHIN THE CITY OF LAKELAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Boring, Verplanck, Wiggs, Fields, and Mayor Fletcher voted aye. Ayes: six. Nays: zero. Commissioner Yates was absent. The motion carried unanimously.

**Ordinance 4858; Proposed 07-039; Vacation of a Portion of Neville Avenue Located North of Candyce Street, South of West Memorial Boulevard and West of Crestview Avenue (1<sup>st</sup> Rdg 5/7/07)**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF NEVILLE AVENUE LOCATED NORTH OF CANDYCE STREET, SOUTH OF WEST MEMORIAL BOULEVARD AND WEST OF CRESTVIEW AVENUE, WITHIN THE CITY OF LAKELAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote, Commissioners Fields, Wiggs, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: six. Nays: zero. Commissioner Yates was absent. The motion carried unanimously.

**Ordinances (First Reading)**

**Proposed 07-040; Petition to Create Seven Community Development Districts within Williams Development of Regional Impact**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA, RELATING TO THE CREATION OF SEVEN COMMUNITY DEVELOPMENT DISTRICTS; ESTABLISHING WILLIAMS COMMUNITY DEVELOPMENT DISTRICT NUMBER ONE, WILLIAMS COMMUNITY DEVELOPMENT DISTRICT NUMBER TWO, WILLIAMS COMMUNITY DEVELOPMENT DISTRICT NUMBER THREE, WILLIAMS COMMUNITY DEVELOPMENT DISTRICT NUMBER FOUR, WILLIAMS COMMUNITY DEVELOPMENT DISTRICT NUMBER FIVE, WILLIAMS COMMUNITY DEVELOPMENT DISTRICT NUMBER SIX, AND WILLIAMS COMMUNITY

DEVELOPMENT DISTRICT NUMBER SEVEN PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICTS; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICTS; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICTS; CONSENTING TO THE USE OF SPECIAL POWERS BY THE DISTRICTS; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICTS' BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Mayor Fletcher asked for public comments. There were none.

Tim McCausland explained that final action would be taken on this proposed ordinance at another public hearing which would be held on June 18, 2007.

#### **Notice of Proposed Department of Justice Assistance Grant Award**

The Lakeland Police Department was awarded \$44,704, in local allocations, by the Department of Justice, for the 2007 Edward Byrne Memorial Justice Assistance (JAG), formerly known as the Local Law Enforcement Block Grant (LLEBG). The allowable period to expend those funds extends from October 1, 2006 through September 30, 2010. Congress and the President will ultimately decide whether additional funding will be forthcoming after this year.

LPD plans to use these funds for taser replacement equipment.

No action was required.

#### **CITY MANAGER**

#### **\*Recommendation re: Renewal of Lakeland Police Department Helicopter Aircraft Insurance**

The current annual aircraft insurance policy covering the Lakeland Police Department (LPD) helicopter required renewal. The Risk Management and Purchasing Department through the City's local insurance broker, Falcon Insurance Agency of Florida, Inc., solicited quotes from five aircraft and aviation related coverage providers. Those companies included Old Republic Insurance Company, CV Starr, Allianz, U.S. Specialty, and Inter-Aero. All either declined to quote or quoted higher pricing than the incumbent provider, Old Republic Insurance Company proposed renewal premium.

Old Republic Insurance Company's proposed renewal premium, excluding terrorism coverage, was \$20,705 representing a 31 % decrease from last year's premium for the period of May 8, 2007 through May 8, 2008. The renewal premium was provided for in the Fiscal Year 2008 Annual Budget – General Fund Account.

The proposed renewal would provide the following coverage limits, including a recommended change in the aircraft hull deductible:

- Aircraft Physical Damage (Excluding War Risk) - \$300,000
- Current - Aircraft Hull Deductible - \$1,000. Rotors Not in Motion / 5% of insured value while Rotors are in motion. (Terrorism - \$450 additional premium)
- Renewal Proposal - Aircraft Hull Deductible - \$5,000. Rotors Not in Motion / 10% of insured value while Rotors are in motion. (Terrorism - \$450 additional premium)
- \$1,000,000 Single Limit including Bodily Injury and Property Damage with a limit of \$100,000 each passenger. (War and Terrorism - \$2464. additional premium)

Any acceptance of terrorism coverage would require additional premium. Given the City's claims history, the higher deductible of \$5,000 in lieu of the current \$1000 deductible was believed to be a good risk.

Staff recommended that the City Commission authorize the appropriate City officials to execute the agreement with Falcon Insurance Agency of Florida, Inc. as insurance broker to provide specific aircraft insurance coverage through Old Republic Insurance Company for the period covering May 8, 2007 through May 8, 2008 at an annual premium of \$20,705.

**Action:** The Commission approved this item on the Consent Agenda.

## CITY ATTORNEY

### Ordinances (First Reading)

#### **Proposed 07-041; Amending the City of Lakeland Employees' Pension Plan to Provide for Retroactive Benefit for Disability Retirement**

AN ORDINANCE RELATING TO THE CITY OF LAKELAND EMPLOYEES' PENSION AND RETIREMENT SYSTEM; AMENDING SECTION 23.4.7 OF ARTICLE II OF DIVISION II OF THE CHARTER OF THE CITY OF LAKELAND, FLORIDA;

RELATING TO DISABILITY RETIREMENT; PROVIDING FOR RETROACTIVE PAYMENT OF BENEFITS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on June 4, 2007.

## **Resolutions**

### **Resolution 4613; Proposed 07-033; Railroad Reimbursement Agreement for Grade Crossing and Traffic Control Devices with FDOT, CSX and City of Lakeland**

A RESOLUTION AUTHORIZING EXECUTION OF A "RAILROAD REIMBURSEMENT AGREEMENT – GRADE CROSSING TRAFFIC CONTROL DEVICES – MUNICIPAL" WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION AND CSX TRANSPORTATION, INC. FOR A RAILROAD GRADE CROSSING LOCATED AT INGRAHAM AVENUE; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the resolution. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote, Commissioners Yates, Fields, Wiggs, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

## **Miscellaneous Reports and Communications**

### **\* Memo re: Continuing Contract Agreements for Environmental Consulting Firms for Risk Management**

This was a Continuing Contract recommended by Risk Management for environmental consulting firms. Services under the contracts may be in the areas of:

- Industrial hygiene
- Indoor air quality
- Asbestos abatement
- Petroleum storage and handling

- HAZmat response
- Bio hazards

The following seven firms had been short listed by Risk Management and approved by City Commission at the City Commission meeting March 19, 2007 with further approval for negotiating a continuing contract with these firms.

OHC Environmental Engineering, Inc  
BEM Systems, Inc  
EE&G Environmental Services, LLC  
MDM Services, Inc  
American Compliance Technologies, Inc  
S E McDonough & Associates, Inc  
Advanced Environmental Technologies LLC

Continuing contracts had been negotiated with the above firms. These contracts were based on our standard City of Lakeland continuing contract and allow for the initial term of said contract to be for three (3) years with an option of two (2) one year renewals.

Staff recommended that the appropriate City officials be authorized to execute continuing contracts with the above short-listed firms.

**Action:** The Commission approved this item on the Consent Agenda.

**Memo re: Task Authorization with CH2M Hill for Water Quality Sampling of Lake Parker for Copper Translator Study**

This was a proposed task authorization with CH2M Hill for the study of water quality in Lake Parker in an amount not-to-exceed \$30,680.00. Recently collected water samples in Lake Parker did not show a reduction in the metal constituent concentrations (particularly copper) anticipated by recent stormwater improvements. Consequently, the City was not able to obtain regulatory relief for compliance with the copper criterion for the McIntosh Plant discharge into the lake.

Staff believed that an alternative study methodology (Copper Translator) would satisfy the Florida Department of Environmental Protection concerns and bring the City into compliance. The study called for sampling to find where dissolved copper in the lake equals total copper. The copper in Lake Parker is in two forms (i) total copper (allforms) and (ii) dissolved copper. When the water goes through our cooling water system, McIntosh Unit 1, any copper that would be discharged into the lake would be in the form of dissolved copper. The levels of copper in question are very small parts per billion (ppb or micrograms/liter).

When the lake is tested, they test for total copper (all forms). What they are seeking with this study is to determine the ratio between the two forms (total and dissolved) of copper. The data then gives the background of what is normally in the lake. Using the ratio from the study, the copper levels of the discharge can then be compared with the background level. This would make it easier for the City and DEP to see the portion of the dissolved copper, if any, the cooling water system is contributing to the lake. Also, when the intake copper and the outfall copper are compared, the difference is what the cooling water system at McIntosh Unit 1 is contributing to the lake. This process was a way to use a secondary measurement to determine the copper levels we are looking for in the lake.

CH2M Hill had put together a proposal to assist with the sampling and reporting of the necessary data and conducting the project. The Copper Translator project would be done in phases over the next year (following DEP approval of the Plan of Study). Since DEP permission to proceed with the project is not assured, the City was proposing to proceed in quarterly phases, with the most critical portion of the work being done in the first quarter.

The cost for the total project was \$86,470.00. The cost of the work for the first quarter would be \$30,679.00 inclusive of expenses and consisted of the following tasks:

1. Plan of Study Preparation
2. Surface Water Sampling
3. Metals Translator Evaluation
4. Meeting with FDEP

If the first quarter yielded successful results with the DEP, the City would seek permission from the Commission to proceed with the remainder of the work via an additional Task Authorization.

Staff recommended that the appropriate City Officials be authorized to execute the proposed task authorization on behalf of the City.

Tim McCausland presented this item to the Commission.

**Action:** Commissioner Boring moved to approve the recommendation. Commissioner Verplanck seconded and the motion carried unanimously.

#### **Memo re: DayPort Agreement with DayJet Services, LLC**

This was a proposed agreement with DayJet Services, LLC to establish a "Per-Seat, On-Demand" jet service from the Lakeland Linder Regional Airport using the Eclipse 500 very light jet aircraft produced by Eclipse Aviation Corporation. The agreement was for one year with a minimum monthly payment of \$1,000.00,

a maximum annual limit in the first year of \$35,000.00, and required a \$2,500.00 security deposit. Fees escalate from the minimum based upon the number of flights from the airport. Lakeland was one of five initial locations, joining Boca Raton, Gainesville, Tallahassee, and Pensacola. DayJet anticipated expanding very rapidly to other locations.

DayJet would be provided approximately 326 square feet of office space, space for a welcome desk, and a passenger seating area. DayJet was required to coordinate with the fixed based operator at the terminal to manage aircraft traffic in the terminal area.

Staff recommended that the appropriate City Officials be authorized to execute the proposed agreement on behalf of the City.

Tim McCausland presented this item to the Commission.

**Action:** Commissioner Verplanck moved to approve the recommendation. Commissioner Boring seconded and the motion carried unanimously.

**\*Memo re: Continuing Contracts for General Architectural Services – Public Works**

This was a continuing contract to be entered into with the eight firms selected by City staff to provide general architectural services for various City projects as required. Services to be provided under the contracts may include preparation of detailed plans, specifications and bid documents for both new facilities and renovations of existing facilities, preparation of studies and reports, construction inspection and administration services and other architectural services as requested by the City. Individual task authorizations would be prepared for specific projects and would outline specific scopes of work, schedules, budgets and other applicable terms. The continuing contracts were for terms of three (3) years with two (2) one-year renewal options. The eight firms chosen by the City were:

Straughn Trout Architects Lakeland, FL  
Lunz Prebor and Fowler Architects Lakeland, FL  
Furr and Wegman Architects Lakeland, FL  
SCMH Architects Lakeland, FL  
Vitetta Group Inc. Orlando, FL  
Architect Design Group, Inc. Winter Park, FL  
PBS&J Tampa, FL  
Sheets and Associates Lakeland, FL

Staff recommended that the City Commission approve the selection of the eight firms short-listed by City staff and authorize the appropriate City officials to execute continuing contracts with each of the firms.

**Action:** The Commission approved this item on the Consent Agenda.

**\*Memo re: Advertising Agreement with Coca-Cola Enterprises, Inc. – The Lakeland Center**

This was a proposed agreement with Coca-Cola Enterprises, Inc., d/b/a Florida Coca-Cola Bottling Company. The Lakeland Center is recommending granting to Coca-Cola the right to sponsor, advertise, and sell its beverage products inside the Lakeland Center Facility for a period of five (5) years.

If approved, Coca-Cola will pay an aggregate of Twenty Five Thousand Dollars (\$25,000) in equal annual installments of Five Thousand Dollars (\$5,000). In addition, Coca-Cola will pay a monthly commission on full service beverage vending sales at the Facility. Coca-Cola will also provide a rebate on products purchased and paid for through Aramark. Total estimate income (based on average sales for the past three years) is an additional Ten Thousand Dollars (\$10,000) annually.

Staff recommended that the appropriate City Officials be authorized to execute the proposed agreement on behalf of the City.

**Action:** The Commission approved this item on the Consent Agenda.

**\*Memo re: Waiver of 5:01 p.m. Hearing**

During the month of June, the Community Development Department would be presenting the Commission with various text amendments to the Lakeland Comprehensive Plan, large scale amendments to the Future Land Use Map and accompanying zoning changes, and certain amendments to the Land Development Regulations which would require at least one hearing after 5 p.m.

Staff requested that the Commission waive the statutory requirement that at least one of the hearings on these matters be held after 5 p.m.

**Action:** The Commission approved this item on the Consent Agenda.

**FINANCE DIRECTOR**

**\*Appropriations – Information Technologies and Lakeland Linder Regional Airport Funds**

Appropriation – Information Technologies Fund

The Department of Information Technology, Telecommunication division would be relocating from their current offices located at 3525 Aviation Drive (Lakeland Airside) to a property owned by the Airport located at 3610 Drane Field Road. This move would require relocation of network, telephone, and fiber infrastructure to the new location. The estimated costs associated with this move were \$16,752.

Appropriation – Lakeland Linder Regional Airport Fund

Lakeland Linder Regional Airport had a requirement to remodel a portion of its Airside warehouse space into office space. This space was located at 3330 Flightline Drive and was previously leased by the Kidron Corporation. The remodeling of this space allowed the Airport greater flexibility for leasing to tenants in need of functional space. The estimated cost associated with the remodeling is \$145,000.

Staff requested that the City Commission approve the appropriation of funds in the amount of \$16,752 to be funded from the unappropriated surplus within the Information Technologies Fund and in the amount of \$145,000 to be funded from the unappropriated surplus within the Lakeland Linder Regional Airport Fund.

**Action:** The Commission approved this item on the Consent Agenda.

**AUDIENCE-none**

**MAYOR AND MEMBERS OF THE CITY COMMISSION**

Commissioner Wiggs encouraged everyone to attend a public meeting, relating to the property tax issue, in the County Commission chambers, on Wednesday, May 23, 2007 at 4:30 p.m.

**CALL FOR ADJOURNMENT – 9:56 a.m.**

**LAKELAND CITY COMMISSION  
AGENDA STUDY SESSION  
May 21, 2007**

The Lakeland City Commission met in the Agenda Study Session in the Commission conference room on Monday, May 21, 2007. Commissioners Edie Yates, Howard Wiggs, Gow Fields, Dean Boring, Jim Verplanck, Glenn Higgins and Mayor Fletcher were present. City Manager Doug Thomas, Deputy City Manager Tony Delgado, Finance Director Greg Finch, Community Development Director Jim Studiale, City Attorney Tim McCausland and Deputy City Clerk Deborah Cason were also present along with administrative staff.

Mayor Fletcher called the meeting to order at 7:39 a.m.

Doug Thomas covered the presentations & proclamations.

Tim McCausland covered the Public Hearings.

Tom Cloud, of Gray-Robinson offered a brief explanation of the Petition to Create Seven Community Development Districts within Williams Development of Regional Impact (Proposed Ordinance 07-040).

Doug Thomas covered the city manager agenda and offered the following verbals:

- Lake Hollingsworth Westside Stormwater Treatment Strand Project

Rick Lilyquist introduced Doug Gleckler who made this presentation, which is on file in the city commission agenda packet.

Discussion:

Commissioner Boring thought the city should utilize the Communications Department to help deliver the message to the public.

Doug Thomas thought the city should develop the city owned property first to show the public what it would look like.

Mayor Fletcher thought the city needed to look for alternatives.

Doug Thomas asked that due to construction and acquisition costs, was this still the most cost effective way to solve the issues. He also noted there would be the new TMDL regulations that would have to be addressed.

He said staff would bring this back to the commission after they see it makes sense to proceed or if there are alternatives.

- Long term water supply issues – there had been informal conversations with Hillsborough County and Mosaic regarding use of reclaimed water. The parties involved were looking for a letter of expressed interest from the Polk County municipalities. The consensus of the commission was to send a letter of interest.

Tim McCausland covered the City Attorney agenda.

Greg Finch covered the Finance Director agenda and requested the item be put on the consent agenda.

The meeting adjourned at 8:35 a.m.

## **EMERGENCY PREPAREDNESS WORKSHOP**

### **May 21, 2007**

The Commission met in the Commission conference room for a workshop on Emergency Preparedness. Mayor Fletcher, Commissioners Jim Verplanck, Glenn Higgins, Gow Fields, Howard Wiggs, Dean Boring, and Edie Yates were present. City Manager Doug Thomas, Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, City Attorney Tim McCausland, Finance Director Greg Finch, Communications Director Kevin Cook, Deputy City Clerk Deborah Cason, and administrative staff were also present.

Doug Thomas opened this workshop at 10:15 a.m. and introduced James Olds, Safety Manager of Risk Management, who made the presentation.

The purpose of the EOC was to be the focal point for making decisions in the event of an emergency.

#### Five Main Functions

- Direction and Control
- Situation Assessment
- Coordination with County Assets
- Priority Establishment
- Resource Management

EOC designed to work from the bottom up; local municipality, then county, state, etc. It exists to protect population and property and to return the community to normalcy.

Each city department has a plan specific to that department

- Lakeland Electric/Water -restoration and maintaining services
- Public Works-debris removal
- Parks-assist in debris removal and feeding crews
- Recreation-child care
- Civil Service-distribution points
- Lakeland Center-mass feeding of crews
- Risk Management-EOC operations

#### Major 3 scenarios

- Hurricanes
- Tornados
- Chemical Release

Our strengths

- location
- dedicated, experienced workforce
- our own utility
- mobile generators
- personnel policies in place

#### Our Weaknesses

- not knowing what we don't know
- lack of large capacity potable water storage
- lack of refrigeration unit
- small staff

#### Opportunities

- radio club-they sit in the EOC-help get the word out
- sign-in-dine program-local restaurants
- speaker's bureau
- access to military surplus items

#### Threats

- Category 5 hurricane striking Clearwater and heading east
- evacuees
- tornados
- railroad mishap on downtown line

#### Lessons learned from 2004

- critical need for a coordinated effort
- control of logistical assets
- real-time weather data
- need for established personnel policies
- feeding plan
- mobile generator support
- ability to detect live downed wires

Polk County orders evacuations and is responsible for setting up evacuation routes and shelters.

Commissioner Wiggs asked if FEMA reimburses us for our losses.

James explained FEMA reimburses typically 75%, the state 12.5%, and the municipality is responsible for 12.5%. However, it has to be declared a national disaster by the President or the area receives nothing.

Commissioner Wiggs asked about volunteers and who coordinates that.

James said the county coordinates volunteers. We just let them know what our needs are.

The workshop adjourned at 11:07 a.m.